

Report on the

# Office of Circuit and District Courts

Wilcox County, Alabama

April 1, 2017 through July 31, 2021

Filed: December 10, 2021



## Department of Examiners of Public Accounts

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*Rachel Laurie Riddle, Chief Examiner*



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Honorable Rachel Laurie Riddle  
Chief Examiner of Public Accounts  
Montgomery, Alabama 36130

Dear Madam:

An examination was conducted on the Office of Circuit and District Courts, Wilcox County, Alabama, for the period of April 1, 2017 through July 31, 2021. Under the authority of the ***Code of Alabama 1975***, Section 41-5A-19, I hereby swear to and submit this report to you on the results of the examination.

Respectfully submitted,

Billy E. Jones  
Examiner of Public Accounts

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Department of  
**Examiners of Public Accounts**

**SUMMARY**

**Office of Circuit and District Courts  
Wilcox County, Alabama  
April 1, 2017 through July 31, 2021**

The Office of Circuit and District Courts, Wilcox County, Alabama, (hereinafter referred to as the "Courts") receipts, disburses and otherwise accounts for court costs, fines, forfeitures, fiduciary funds and other miscellaneous receipts for cases under the Courts' jurisdiction. The amounts collected are then distributed to various state and local entities as ordered by the Courts and in accordance with state and local laws and regulations. The Circuit Clerk, an elected official, is responsible for overseeing the operations of the Circuit and District Courts. The duties of the Circuit Clerk and District Court Clerk are enumerated in the ***Code of Alabama 1975***, Sections 12-17-93 and 12-17-94. The Circuit Clerk also serves as clerk for the District Court pursuant to the ***Code of Alabama 1975***, Section 12-17-160.

Honorable Carolyn Davis-Posey served as Circuit and District Court Clerk.

The Circuit and District Court Clerk maintains a special fund known as the Circuit Clerk's Fund that was created pursuant to the ***Code of Alabama 1975***, Section 12-17-225.4. The Circuit and District Court Clerk receives twenty-five percent (25%) of a thirty percent (30%) collection fee for any delinquent court ordered payments that are 90 days old and have been collected by the District Attorney. This twenty-five percent of the collection fee is deposited in the Circuit Clerk's Fund and is used for general office operations. In addition, this fund receives \$.50 from an additional court cost of \$6.00 established by Act Number 89-394, Acts of Alabama. Act Number 2006-418, Acts of Alabama, established a Pre-Trial Diversion Program. The Wilcox County Circuit Clerk's office receives \$25.00 of the fee for each applicant accepted into the Pre-Trial Diversion Program for offenses filed in Wilcox County. This fund also receives \$12.00 from an additional court cost fee established by Act Number 2012-172, Acts of Alabama. This money shall be available for use, at the Clerk's discretion, to support the Clerk's office.

The Circuit and District Court Clerk maintains a special fund known as the Circuit Clerk's Judicial Administration Fund that was created pursuant to the ***Code of Alabama 1975***, Sections 12-19-310 and 12-19-311. The Circuit and District Court Clerk receives portions of the docket fee and bail bond fee increase provided for by these statutes and is used for the support of local court operations and to promote the efficient administration of justice.

This report presents the results of an examination of the Courts and a review of the Court's compliance with applicable laws and regulations of the State of Alabama in accordance with the requirements of the Department of Examiners of Public Accounts under the authority of the *Code of Alabama 1975*, Section 41-5A-12.

Tests performed during the examination did not disclose any significant instances of noncompliance with applicable state and local laws and regulations.

#### **EXIT CONFERENCE**

The Official was invited to and attended an exit conference to discuss the results of the report. Representing the Department of Examiners of Public Accounts were: Miranda Bonner, Audit Manager, and Billy Jones, Examiner.

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# *Financial Information*

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***Summary of Receipts, Disbursements and Balances***  
***April 1, 2017 through July 31, 2021***

	<b>Civil Division</b>	<b>Criminal Division</b>	<b>Total</b>
Beginning Cash Balances - April 1, 2017	\$ 171,686.24	\$ 13,821.93	\$ 185,508.17
Receipts	2,646,227.08	913,831.23	3,560,058.31
Total Available for Disbursement	2,817,913.32	927,653.16	3,745,566.48
Disbursements	2,743,176.92	897,143.30	3,640,320.22
Ending Cash Balances - July 31, 2021	<u>\$ 74,736.40</u>	<u>\$ 30,509.86</u>	<u>\$ 105,246.26</u>

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***Fiduciary Funds on Hand***  
***July 31, 2021***

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Civil Division	\$ 750,651.96
Total	<u>\$ 750,651.96</u>

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***Circuit Clerk's Fund***  
***Summary of Receipts, Disbursements and Balance***  
***April 1, 2017 through July 31, 2021***

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**Receipts**

Court Fees	\$	51,060.79
Law Library Fees		1,755.50
Copies		4,461.73
Miscellaneous		2,939.08
Total Receipts		<u>60,217.10</u>

**Disbursements**

Office Supplies		5,989.74
Salaries		4,861.55
Conference and Travel Expense		12,896.90
Dues		3,600.00
Miscellaneous		203.65
Total Disbursements		<u>27,551.84</u>

Excess of Receipts Over/(Under) Disbursements		32,665.26
Balance - April 1, 2017		<u>37,905.55</u>
Balance - July 31, 2021	\$	<u><u>70,570.81</u></u>

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***Circuit Clerk's Judicial Administration Fund  
Summary of Receipts, Disbursements and Balance  
April 1, 2017 through July 31, 2021***

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**Receipts**

Bail Bond Fees	\$	21,938.92
Civil Docket Fees		6,667.50
Criminal Docket Fees		9,546.77
Municipal Docket Fees		8,093.50
Total Receipts		<u>46,246.69</u>

**Disbursements**

Office Supplies		115.96
Salaries		24,612.31
Contract Consultants		1,754.00
Total Disbursements		<u>26,482.27</u>

Excess of Receipts Over/(Under) Disbursements		19,764.42
Balance - April 1, 2017		<u>15,956.58</u>
Balance - July 31, 2021	\$	<u><u>35,721.00</u></u>